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INCOME TAX HEARING.

Hon. Joseph Choate Concludes His Argument Before the

UNITED STATES SUPREME COURT.

The Present Income Tax Declared a Measure Aimed at the Industrial Classes of Certain States--The Injustice of the Exemptions of Mutual Insurance Companies--A Decision of the Court Looked for This Month.

WASHINGTON, D. C., May 8.—The re-hearing of the income tax case in the supreme court was concluded at 2 o'clock to-day, and the nine justices took the question of the act's constitutionality in whole or any part under consideration. On the 20th of this month the court will meet, probably for the last time this term, to render its decision in the pending case, and it is expected that its conclusion upon the income tax case will be announced at that time.

Mr. Joseph H. Choate, of New York, finished the closing argument which he had begun yesterday, speaking until 2 o'clock and receiving the closest attention from the justices and a crowd of spectators. It has been generally remarked that interest in the re-hearing had been much less intense than at the first argument. Justice Jackson was one of the most attentive of the nine men on the bench throughout the hearing and seems to have borne the strain well, considering the condition of his health.

Mr. Choate considered the exemption made in the income tax law and in doing so made special reference to the mutual insurance companies, as going to show the magnitude of the operations of these companies, he could, he said, mention such a company, whose accumulated property amounted to \$201,000,000. An exemption such as this was beyond all bounds of reason.

CONTROLS CONGRESS.

Having obtained so much money he said the company re-invested it by forming trust companies, organizing banks, building and reorganizing railroads and floating government loans. Not only this, but it controlled Congress and directed legislation, as had been confessed by the attorney general. Replying to an interruption by Justice Shiras, Mr. Choate said that his contention was that in making exemptions they should be made by classes, and that they could not be made within the same class, when the only difference was that in one complaint the interested persons were stockholders, and in the other policy holders.

Referring to the exemptions of incomes of less than \$4,000, he said that provision of the law would exclude the vast majority of the incomes of the entire country. It would exempt ninety-nine one-hundredths of the tradesmen of the country and a majority of the professional men. Was such a policy as this adopted in pursuance of a legitimate public policy, or was it arbitrary? He contended that it fell within the latter category and said that the avowed purpose of the authors of the law had been to concentrate the taxes upon the people of a few of the states and to exempt those of the other states mainly instrumental in passing the law. Moreover, it was an arbitrary blow aimed at corporations, in hitting which the framers of the law well knew they were striking at the main source of incomes of thousands of widows and orphans, whose incomes, individually small, were derived from corporate investments.

NOT UP TO ESTIMATES.

The returns received at the treasury department indicated that since the decision of the court the revenues would not amount to more than half of the sum estimated for by the department. This was the result of knocking out incomes from rents and bonds.

Was it to be supposed that Congress would have passed the law at all if it had been known that these principal sources of wealth were to escape? The law had been directed at the wealth of the seaboard states, most of which would now be exempt. Indeed, only the bone and sinew and nerves of the country was left to be taxed. The law directed at capital was to fall alone on labor. The attorney general had said that the law was intended to operate against a few picked men, "and yet," said Mr. Choate, "the biggest fish intended to be caught in the net have escaped through the rent your honors have made in its meshes."

However it is regarded, he concluded, the law now stands mangled and disfigured by the pruning knife of the constitution in the hands of those authorized to wield it, and it cannot be preserved in its present shape unless the court shuts its eyes blindly to glaring inconsistencies and obvious irregularities.

Mr. Choate stopped abruptly at 2 o'clock and the court announced an immediate adjournment until 12 o'clock Monday, May 20.

Philadelphia to Be Lexowed.

HARRISBURG, PA., May 8.—The Pennsylvania revolution, providing for an investigation by a senate committee of five, of the municipal affairs of Philadelphia, passed the senate this morning with only one dissenting vote, that of Senator Osburn. The resolution was reported from the judiciary general committee by Senator Grady with a recommendation that it be adopted by the senate as committed. A viva voce vote was taken on the resolution and it was adopted without debate.

Greater Pittsburgh Assured.

HARRISBURG, PA., May 8.—Greater Pittsburgh is assured. The three annexation bills were approved to-day by the governor. In honor of this action the Pittsburgh members of the house and senate tendered a banquet to-night to the legislature, state officials and employees. Over 400 covers were laid and Senator Elinan acted as toastmaster.

Dynamite Cartridges Explode.

SAN CARLOS, MEX., May 8.—By the explosion of twenty dynamite cartridges in a store three families are orphaned and several persons badly injured. The wounded will be taken to Monterey for treatment.

THE DISPENSARY LAW

Declared Unconstitutional by Judges Simon and Goff--The Contempt Proceedings Dropped--The Registration Law.

COLUMBIA, S. C., May 8.—Judges Simon and Goff decided to-day that the provision of the state dispensary law preventing importations of liquor for private use into this state was contrary to the inter-state commerce act of the constitution and is null and void. An injunction has been issued restraining the seizure of such liquor.

The contempt proceedings against Liquor Commissioner Mixson and Constables Davis and Lalar were dismissed. Judge Goff to-day also declared the registration law unconstitutional and issued an order restraining Supervisor Green from performing the duties of his office.

A. P. A. CONVENTION.

An International Organization Under Consideration--Large Delegation Present.

MILWAUKEE, WIS., May 8.—The seventh annual session of the American Protective Association began to-day in Liberty Hall. The order is now semi-political, and it has exerted its influence in conventions and at the ballot box. Some of its members favor coalition with any of the existing political parties which will come out openly and advocate the principles of the American Protective Association. Another faction would have a separate political party on a strictly American Protective Association platform. Still another wing of the association favors publicity, and would do away with all secret works. It is also hinted that the free silver question may figure during the session.

Probably the most important step to be taken by the association will be the adoption of an international constitution and declaration of principles and the extension of the order to all parts of the world, creating thereby what will be known as the supreme council of the world. This question has been under consideration for some time, and the report of a special committee of ten, appointed a year ago will be submitted. Five members of the committee are Canadian members and five are members from the United States. The chairman is Col. E. H. Sellers, of Detroit, who will report the drafting of a new constitution which will be the present constitution so modified that it will have international scope. A member of the committee from Canada says that there are now more than 100,000 A. P. A.'s in Canada, and that they have practically controlled elections in the dominion for two years.

The opening session was called to order with some 350 of the expected 400 or 450 delegates present, the others being expected to arrive during the day and evening.

President Trayner presided and the various committees reported were appointed to their work.

THE GORDON TRIAL.

The Prisoner Testifies as to the Manner of the Double Killing.

LOUISVILLE, May 8.—The examining trial of Fulton Gordon was resumed at 2:30 o'clock to-day.

Officer Lapelle testified to Gordon's statement made in the ambulance. Gordon said he went into the room and his first shot would have killed Brown if Mrs. Gordon had not jumped in the way. Brown, he said, had fired while he was getting out his pistol. After the first shot out of Brown's revolver, Gordon said he grabbed him. After several shots had been fired Brown dropped his pistol and Gordon picked it up, shot Brown, killing him. Mrs. Gordon, the prisoner said, fought him like a tiger. Just as she got to the door, Gordon said he fired a second shot at his wife.

Gordon said that Brown had not struck him. From Gordon's statements, witness was led to believe that Mrs. Gordon had struck her husband with a pitcher or something else.

The plans of the prosecution have taken a sensational turn in the issuance of a subpoena for Webster Gayley. Attorneys engaged in the prosecution have taken this step upon the theory that Gayley is the man who telephoned to Gordon and who shadowed and located the couple.

H. & O. Extending Its Lines.

SOUTH BEND, IND., May 8.—A special to the Tribune from Niles, Mich., says the Baltimore & Ohio Railroad has purchased or will soon purchase the old St. Joseph Valley Railroad, running between Buchanan and Berrien Springs. It is also announced that the Baltimore & Ohio is about to close a deal by which it will come into possession of the Elkhart & Western Railroad, between Elkhart and Mishawaka, Ind. It is stated that the Baltimore & Ohio people intend to construct a line from Milford, Kosciusko county, Ind., to Elkhart, to connect with the Elkhart & Western from Mishawaka to Buchanan to connect with the St. Joseph Valley road, and from Berrien Springs to Benton Harbor and St. Joseph, Mich., thus giving them an entrance to the Lake Michigan port.

TELEGRAPHIC BRIEFS.

Secretary Gresham continues to improve.

The American Tract Society is in session in New York.

James A. Weston, ex-governor of New Hampshire, died yesterday at his residence in Manchester, that state.

Private advices from Hawaii are to the effect that fears for an uprising of the natives and Japanese residents are felt.

The grand lodge of the Knights of Pythias in session in Chattanooga visited the Chickamauga National Park in a body.

Governor Turney, the Democratic nominee who was counted in by a partisan committee in Tennessee, was inaugurated at Nashville yesterday at noon.

O'Donovan Rossa, the New York Irish agitator, created a scene in the British house of commons yesterday, by arising in the gallery and denouncing a speaker. He was ejected from the parliament house.

Charles Johnson, a postoffice robber wanted in Indian territory, escaped from the United States marshals having him in charge, near Olean, N. Y. It is understood there is a reward of \$2,000 for him.

QUIET PREVAILS

Along the Line of the Norfolk & Western Road.

IMPORTED NON-UNION WORKERS

May Cause Violence Should the Coal Companies Bring Them In--Militia at the Scene of the Trouble--Adjutant General Holly Looks for an Amicable Settlement--Baltimore & Ohio Mines Resuming.

Special Dispatch to the Intelligencer.

CHARLESTON, W. VA., May 8.—Adjutant General Holly telegraphs from Bluefield that he has visited four coal mines on the Elkhorn and finds everything quiet and idle. No threats are being made and everybody is sober. General Holly does not anticipate any outbreak and expects an amicable settlement in the near future. The action of the Southwestern Virginia Improvement Company in regard to importing non-union labor is regarded as the only move that will precipitate an outbreak. If these men, reported to have been telegraphed for, come it is doubtful whether the troops on hand can protect them, and West Virginia may be called upon for aid. A settlement is looked for, however, before such a contretemps occurs.

NO VIOLENCE

At Bluefield--The Eviction of the Union Miners May Cause Trouble.

BLUEFIELDS, W. VA., May 8.—The miners have been advised by the leaders of the strike to attempt no violence, neither to person or property. So far there has been no clashes between the soldiers and miners. The Browning miners claim an increase of labor to-day. Sixty-five men joined the union yesterday and it is now certain that five hundred and sixty-five men are out in the Virginia mines in favor of the strike. The Browning company is serving notices upon its men to vacate the tenement houses. To-morrow is pay day and what the eviction of the miners out in the streets will result in no one knows.

Pocahontas is practically under martial law. No one is admitted in the place unless by pass, the public ways are well guarded and the commanding positions are all in charge of the militia. The companies in Pocahontas are determined to continue mining at all hazards.

Soldiers Pass a Quiet Day.

ROANOKE, VA., May 8.—Dispatches from Pocahontas at noon to-day state that all is quiet in the region of the Flat Top coal strike. Men are expected to arrive soon to take the place of the striking miners. A dozen or more random shots were fired last night by miners attempting to get through Elkhorn pass, which is guarded by troops, but no shots have been fired by the soldiers.

H. & O. Mines Resuming.

PITTSBURGH, May 8.—To-day the Stockdale, Allen, and Fidelity mines on the Wheeling division of the Baltimore & Ohio resumed at 47 cents per ton. As they are thick vein mines this price is equivalent to the 60 cent rate for thin vein mines. The Eureka and Waverly mines are also running partially with non-union men and the Germania mine yesterday succeeded in getting out some coal.

RIOTOUS STRIKERS

Fired Upon by Chicago Police--Several Men Injured in the Conflict.

CHICAGO, May 8.—Four policemen were injured and one striker fatally shot in a riot of Illinois Steel Company strikers at South Chicago to-day.

The riot followed a big mass meeting of the strikers held in Eighty-fourth street. About five hundred men were present, and the speeches became so violent and the men so demonstrative that the leaders forced an adjournment. The crowd did not disperse, however, and a riot call brought a detail of twelve police officers headed by Lieutenant Wagner to the scene. The police ordered the crowd to disperse, but the order was met with hoots and threats, the women among the strikers during the officers to shoot. The policemen finally charged with drawn revolvers and were met with a volley of stones and slag. Lieutenant Wagner and three of his men fell and the other officers opened fire, sending about twenty-five shots into the crowd. At the beginning of the firing the strikers fled, four of the leaders being arrested.

The wounded are: John Wilkosky, striker, shot through the head, will die. Lieutenant Wagner, head cut by stones; Officers Martin and Prott, clubbed into insensibility; Officer John McCaffrey, badly bruised; Officer William Walsh, head badly cut by stones. None of the policemen are believed to be fatally hurt.

After the shooting the rioters gathered in groups about the steel works, threatening vengeance, and more trouble was anticipated by the police. The mills were kept under police protection, and the company's store of dynamite was heavily guarded all day.

Threatened Iron Strike.

PITTSBURGH, May 8.—The puddlers of the Clinton mill have not been granted the \$4 rate and intend to strike early to-morrow morning.

The four thousand men in the National Tube Works, McKeesport, were to-day granted an increase of 10 per cent. The Jones Laughlins blast furnace men were also given an advance of 10 per cent to-day.

All the employees of the Monongah Furnace Company, McKeesport, asked for an advance of 33 per cent to-day, and will strike to-morrow if it is not granted.

Cutmakers Return to Work.

PHILADELPHIA, PA., May 8.—Six hundred more cutmakers went to work on their own terms to-day, and over a dozen contractors signed the Knights of Labor agreement, which will send nearly 400 more back to-morrow. Nearly all the Lithuanians have secured an acceptance of their agreement and have returned to work, there being barely seventy-five of their local assembly still out.

Thus far about 2,000 strikers have returned to work, leaving about that number still out.

THE STATE COAL EXCHANGE.

The Meeting of the Operators of West Virginia at Fairmont--A Satisfactory Session. Special Dispatch to the Intelligencer.

FAIRMONT, W. VA., May 8.—The West Virginia Coal Exchange met here to-day. The strike in the Norfolk & Western region kept away a great many operators, but the meeting was nevertheless very interesting and satisfactory. President Page presided. Papers were read on subjects of special interest to the coal trade. One by Evan Powell, of the Mount Carbon Company, on the aim of the West Virginia Coal Exchange, and one by President Page on the Economics of Mining were of great value. The papers will be printed in the proceedings of the exchange.

The following officers were elected for the ensuing year: W. N. Page, president, Gauley Mountain Coal Company; O. C. Kubach, vice president for the New River district; Evan Powell, vice president for the Kanawha district; E. T. Hutchinson, vice president for the Pocahontas district; J. Harry Leo, vice president for the Fairmont district; J. L. Seal, secretary and treasurer, Charleston, W. Va.; J. R. Taylor, assistant secretary, Ansted, P. O.

The executive committee was authorized to take such steps as it may deem prudent in association with other interests to contest the income tax law. The same committee will fix on the next place of meeting, which will probably be Bramwell. Ex-Governor Fleming and other gentlemen of the local committee have paid the visiting coal men such polite attentions as were possible in the crowded condition of things.

To-morrow morning they start on a tour of inspection through the mines of this region.

THE KNIGHTS TEMPLAR

Have a Grand Time at Fairmont--White Plumed Knights and Music Everywhere. The Banquet--The New Officers. Special Dispatch to the Intelligencer.

FAIRMONT, W. VA., May 8.—The twenty-third annual convocation of the Grand Commandery of Knights Templar of West Virginia held here to-day was one of the most largely attended ever held, there being many visitors from other states. The usual routine of business was transacted. The only special action was the establishing of a commandery at Grafton known as DeMolay No. 11. The members from Parkersburg came in a private sleeper and those from Wheeling came in on a special train. The latter train was occupied by the two commanderies, Wheeling No. 1 and Cyrene No. 7, bringing with them the Opera House and Mayors' bands.

Saint John's Commandery from Weston, brought a brass band of sixteen pieces, composed entirely of young ladies, who were duly chaperoned and were most kindly received by the citizens. The line of march was not long and the streets were lined with spectators. After the adjournment Crusade Commandery tendered the Grand Commandery and visitors a fine banquet at the T. F. Watson Hotel from 10 to 1. In addition to the bands named above the City Band, of this place, was also present and there was music in the air all day.

To-night Cyrene Commandery, of Wheeling, has added to the pleasure by opening headquarters from 7 to 10 for the reception of all visiting sir knights and their friends.

The following are the officers elected: Grand commander, W. H. H. Holswade, of Huntington; deputy grand commander, John C. Rihelidaffer, of Wheeling; grand generalissimo, L. N. Taveener, of Parkersburg; grand captain general, John A. Zorn, of Wheeling; prelate, James A. Bryan, of Parkersburg; grand senior warden, George Debolt, of Fairmont; grand junior warden, Frank H. Markoll, of Charleston; grand treasurer, D. W. Emmons, of Huntington; grand recorder, R. C. Dunnington, of Fairmont; grand standard bearer, C. H. Quinzell, of Martinsburg; grand sword bearer, W. W. Campbell, of Charleston; warden, J. S. Vandervort, of Weston; grand captain of guard, George W. Creel, of Grafton.

Boy Fatally Injured.

CLARKSBURG, W. VA., May 8.—William Faulkner's six-year-old son was injured by falling from a horse near Big Isaac, this county, yesterday. The horse stopped on the boy's head, crushing his skull in such a manner that he cannot recover.

Bolter Explosion.

STUBENVILLE, O., May 8.—A boiler at Caster Bros. well being sunk for oil on the Ault farm in the island creek field burst to-day and the workmen narrowly escaped being killed.

DELAWARE DEADLOCK.

A New Man Enters the Arena and the Scene is Changed.

DOVER, DEL., May 8.—There was great excitement on the floor of the senate to-day, while the balloting for a United States senator was in progress. Nine ballots were taken and nearly all of the Republicans deserted Higgins, Massoy, Pennell and Addicks, casting their votes for Henry I. Dupont, president of the Dupont Powder Company, of Wilmington. On the first ballots the Massoy men went to Pennell and the Higgins followers all voted for Dupont. On the third and fourth ballots, Burton deserted Pennell and voted for Dupont. On the fifth ballot all of Pennell's followers, except Morgan, voted for Dupont, giving the latter twelve votes and on the sixth, seventh and eighth ballots Morgan deserted Pennell for Dupont, making the latter's vote thirteen.

After taking the thirty-second ballot on the day at 9:30 o'clock to-night, the joint session of the legislature adjourned until 9 a. m. to-morrow. The last ballot resulted: (Rep.) 11; Dr. Burton, (Rep.) 8; Ridgely, (Dem.) 9; Tannell, (Dem.) 1.

Saved Her Husband.

MONETT, MO., May 8.—Mrs. Frank Collins, wife of a gambler here, shot and killed Annie Snodgrass, of Fort Smith, who was walking along the street with Collins last night. The couple had registered as husband and wife at the Attaway Hotel, and when they stepped out upon the street Mrs. Collins was in waiting for them. Mrs. Collins told her husband to "git" or he would share a similar fate. She then surrendered herself to the police.

ANOTHER FINE SUCCESS.

Magnificent Entertainment in St. Joseph's Hall--The Performance of "Rebecca" Repeated.

Last evening the public were treated to another rendition of the above pleasing drama, and all that has been already said in the INTELLIGENCER in praise of the first performance, applies to that of last evening with one or two words of additional praise. While a little uncertainty marked the first exhibition, this was altogether absent from that of last evening. The different parts were carried out in a smoother and more even manner, as if each character determined to outdo his already creditable work.

One thing that forced itself in a decisive way on the large audience that thronged St. Joseph's hall last evening was the question—"Why, with all this talent in our midst, are we not oftener treated to such an entertainment?" Though the time and work expended to arrive at so perfect a display must be of a very painstaking nature, yet the very ones themselves on whose shoulders the labor fell, derived a conscious pleasure from the palpable appreciation of their every effort. They cannot now claim the excuse of want of support, since, if unanimity of praise be a criterion of credit, then can they lay claim to a measure of the latter. It is to be hoped that the good work will not stop here, and that the near future will introduce such another treat.

Where all acted their parts so intelligently, it would appear invidious to particularize, but it is but fair to notice the really artistic work of *Clarissa*—Miss K. Mosely. She handled her role in a manner that proved her to be an artist of no mean order, and showed her capable of assuming a heavier and more elaborate part. She was in every sense the "old maid," and if that other incident of the feline tribe were around, pussy would have immediately recognized her mistress.

The president of the cooking club, Miss Margaret O'Kane, showed that the modern style of cooking is not to be sneezed at and that the duties of an intelligent interpreter of high class drama and those of a practical housekeeper are not incompatible.

Miss Mergowas surely the captivating widow; one at whom any bachelor would "set his cap," and *Gip*—poor, laughable, *Gip*, the black girl—in the hands of Miss M. Daly, proved to be a funny character, with a decided tendency for cake; and Miss Agnes Joyce, in her part of the Irish girl was worthy of all the devotion that "Patsie" could bestow on her, albeit she couldn't read the *Queen's* English.

Mrs. Rokeman (Miss Henrietta Weltzel) was beautifully gowned and the object of much admiration for her acting, while Miss Margaret McFadden showed a nice knowledge of elocution in her declamation of the pieces assigned her; and away out in bold relief stood Miss Lizzie Kuzlen in her admirable conception of the part of the much tried and sorrow-stricken heroine.

Misses Mammie Owens, Emma Zockler, Mamie Welty, Julia Flading, Mary Donahue, Katie O'Hare, Balah Smith and Bertha Schuler added much to the success of the entertainment in their respective parts.

In a word the *tout ensemble* was such as to reflect the highest credit on Miss Mary O'Kane and her assistants, who spared neither time nor pains to make this display what it was—efficient in every sense; and so attractive as to whet the literary appetite for future indulgences of a like kind.

The drama will be repeated at a matinee Friday afternoon for the benefit of the children, the admission being only ten cents.

CARDINAL GIBBONS

Gives His Views on the Liquor Licenses. Prohibition Not Practical.

BALTIMORE, May 8.—Cardinal Gibbons to-day, in the hall of the Y. M. C. A., delivered an address before the Maryland State Temperance Alliance. The large audience included a great many clergymen not of the cardinal's religious belief. His eminence began by saying he was very glad to have an opportunity of meeting some of his separated brethren of the clergy on a common platform.

"I do not think that prohibition can be seriously considered in our large cities," said the cardinal. "For prohibition does not prohibit in large communities."

The remedial measures suggested by the cardinal were: High license; restricting the number of saloons in each district or ward; no saloon should be allowed to be open within a certain proximity to a church or school house.

CATHOLIC KNIGHTS

Making Arrangements for the Annual Convention at Omaha.

OMAHA, NEB., May 8.—All the supreme officers of the Catholic Knights of America have arrived in Omaha and are now at work completing arrangements for the national convention of the order, which convenes in this city next Tuesday. The work of examining the books began to-day.

Supreme Secretary O'Rourke stated that the organization, whose chief feature is mutual insurance, was steadily gaining in membership, almost every state and territory having its branches. "Another thing we have," said he, "that no other kindred society has, is a sinking fund, which amounts to \$275,000, and is invested in interest-bearing bonds."

A Priest Deposed.

DENVER, COLO., May 8.—Bishop Martz has deposed Rev. Father Mariana Lapore, pastor of Mount Carmel church in this city, who was found guilty by an ecclesiastical court of undue familiarity with women of his parish; dishonesty in politics and other conduct unbecoming a representative of the church.

Made a Confession.

BALTIMORE, MD., May 8.—Price, the convicted murderer of Miss Dean at Denton, has made a final confession, in which he admits that he alone committed the deed. Up to last night he stoutly adhered to his first story, in which he charged Grant Corkran, a popular young school teacher, with the crime, upon the strength of which Corkran spent a week in jail. His admission that he is guilty of the double crime aroused so much anger that the authorities brought Price to Baltimore for safe keeping.

THE WAR IS OVER.

The Ratification of the Chino-Japan Treaty Signed.

RUSSIA'S DEMAND WILL BE MADE

The Subject of Diplomatic Negotiations--The Japanese Legation at Washington on the Conditions of the Treaty--Sir Robert Hart, Inspector of Chinese Customs, Will Not Guarantee the Indemnity Payment Unless Left to His Care.

SHANGHAI, May 8.—It is stated here that the ratifications of the treaty of peace between China and Japan were exchanged to-day at Chefoo.

It is reported that Sir Robert Hart, inspector general of the Chinese customs, has guaranteed the payment of the additional indemnity, demanded by Japan as a result of relinquishing her claim to the Liao-Tung peninsula in compliance with the views of Russia, France and Germany. Sir Robert Hart, however, makes his guarantee conditional on the financing of the total indemnity being left in his hands.

AT WASHINGTON

The Legations Waiting for Final News. The Original Treaty Ratified.

WASHINGTON, D. C., May 8.—The Japanese and Chinese legations are expectant of final developments to-day, on the peace settlement, but no official statement of the exchange of ratifications has been received yet.

It is known positively that the treaty formally ratified and exchanged to-day, probably, is identical to the one originally negotiated at Shimonoeki. Such changes as Russia and the other powers have insisted will not be incorporated into the present treaty, as it is said this would be impossible in view of the formal ratification of the original treaty by the mikado two weeks ago. The features of the Russian protest may, however, be added as a protocol.

It is said the full execution of these changes will be the subject of diplomatic arrangement between Russia and Japan, for some months hence. As a result of the understanding reached between Japan and Russia it is believed that the indemnity probably will be increased to 100,000,000 taels, and that the occupation of Port Arthur is likely to be for a term of years, until the indemnity is paid. Nothing is known here of the report that Russia and Japan have agreed that Port Arthur and Liao-Tung peninsula shall be annexed to Korea, and the report is not credited.

Cholera on Japanese Transports.

LONDON, May 8.—The Times will to-morrow publish a dispatch from Kobe, Japan, stating that cholera has broken out on board the Japanese transports at Talienwan, on the Liao-Tung peninsula. It is reported that half the troop ships of the original E. Chihli expedition are flying the yellow flag, denoting that the disease is aboard of them.

ENGLAND WILL BE PAID.

Nicaragua Raising the Money by Popular Donation--Anti-English Feeling Is Intense.

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MANAGUA, NICARAGUA, VIA GALVESTON, May 8.—There is no longer any doubt that Great Britain will receive her smart money on time. The 15,000 pounds sterling, to be paid by Nicaragua to Great Britain has been raised here by popular donations. Three German mercantile firms have given about 2,000 pounds and the whole amount will be ready to be paid in London in a few days. The raising of the money, however, has only increased popular feeling in Nicaragua against Great Britain, and the feeling is now very bitter, indeed, more so, if possible, than when the British landed at Corinto.

The general opinion seems to be that the Central American republics will form a combination, possibly secret, against Great Britain and that everything possible will be done to exclude British goods from Central America. This feeling will probably result in commercial gain to the United States. There is no doubt, however, that the action of the three German firms in subscribing so liberally to the indemnity fund will prove a good stroke of business for them.

The United States steamship Alert arrived on Monday last at San Juan Del Sur from Panama.

CUBA'S REVOLUTION.

A Band of Insurgents Defeated--Puerto Principe Remains Loyal.

HAVANA, May 8.—A band of twenty rebels have been defeated by the troops at the Malaga farm near Torcaera in the Colon district. One of the rebels was killed and they lost their arms and horses.

It is rumored that Carlos Castillo desires to surrender with his band to the authorities, and it is said that he has informed Captain General Martinez de Campos of his decision in the matter. Maximo Gomez intends to invade Camagney in the province of Puerto Principe.

At an important meeting of the inhabitants of Puerto Principe, resolutions were passed showing that they were decided to remain loyal and offer active opposition to the rebels. They answered the threats contained in the proclamation issued by Gomez with reminding him that the inhabitants remembered his obnoxious conduct during the previous revolution.

A Filibustering Expedition Lands.

HAVANA, May 8.—It is rumored here that the rebel chief Lacerot, who organized a filibustering expedition in Jamaica, has landed somewhere near Baracoa. Some of the insurgents have abandoned hope of the success of the revolutionary movement and propose peace if the government will grant autonomy to Cuba.

Weather Forecast for To-day.